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HDP/SB/21 based on PTO/SB/21 (08-00)

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	10/753,399
Filing Date	January 9, 2004
Inventor(s)	Peter TIEMANN
Group Art Unit	1793
Examiner Name	Kevin P. Kerns
Attorney Docket Number	32860-000379/US/DVA

ENCLOSURES (check all that apply)

☐ Fee Transmittal Form

☐ Fee Attached

☐ Amendment

☐ After Final

☐ Affidavits/declaration(s)

☐ Extension of Time Request

☐ Express Abandonment Request

☐ Information Disclosure Statement

☐ Certified Copy of Priority Document(s)

☐ Response to Missing Parts/
Incomplete Application

☐ Response to Missing
Parts under 37 CFR
1.52 or 1.53

☐ Assignment Papers
(for an Application)

☐ Letter to the Official Draftsperson and
____ Sheets of Formal Drawing(s)

☐ Licensing-related Papers

☐ Petition

☐ Petition to Convert to a
Provisional Application

☐ Power of Attorney, Revocation
Change of Correspondence Address

☐ Terminal Disclaimer

☐ Request for Refund

☐ CD, Number of CD(s) _____

☐ After Allowance Communication to
Group

☐ LETTER SUBMITTING APPEAL
BRIEF AND APPEAL BRIEF (w/clean
version of pending claims)

☐ Appeal Communication to Group
(Notice of Appeal, Brief, Reply Brief)

☐ Proprietary Information

☐ Status Letter

☒ Other Enclosure(s)
(please identify below):

Statement Under 37 C.F.R. § 1.133(b)

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm
or
Individual name

Harness, Dickey & Pierce, P.L.C.

Attorney Name

John W. Fitzpatrick

Reg. No.

41,018

Signature

Date

June 5, 2008



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/753,399 Group Art Unit: 1793
Filing Date: January 9, 2004 Examiner: Kevin P. Kerns
Applicant: Peter TIEMANN Confirmation No.: 7897
Title: DEVICE AND METHOD FOR CASTING A WORKPIECE,
AND WORKPIECE
Attorney Docket: 32860-000379/US/DVA

Customer Service Window
Randolph Building
401 Dulany Street
Alexandria, VA 22314
Mail Stop AF

June 5, 2008

STATEMENT UNDER 37 C.F.R. § 1.133(b)

Sir:

In response to the telephonic interview conducted on June 4, 2008, the following remarks are respectfully submitted in connection with the above-identified application.

Interview Summary

During the interview, the undersigned and the Examiner reviewed the subject matter recited in the rejected claims with particular focus on the randomly distributed three-dimensional grid in the wall of a cast workpiece. It was then explained that, in contrast to the amended claims, Frasier discloses passages that are uniformly formed due to the insertion of rods into predetermined pockets or holes. The Examiner agreed that the amended claims appear to overcome Frasier and indicated that he would withdraw the application of Frasier as a prior art reference. The Examiner did indicate, however, that he would conduct an additional search in light of the amendments to the claims.

CONCLUSION

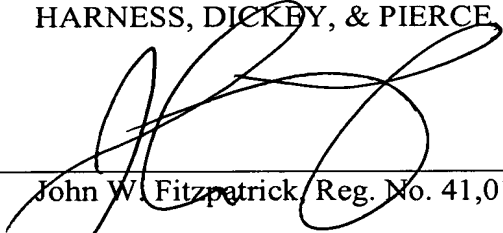
Should there be any outstanding matters that need to be resolved in the present application; the Examiner is respectfully requested to contact the undersigned at the telephone number of the undersigned below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

HARNESS, DICKBY, & PIERCE, P.L.C.

By



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DJD/JWF:ljs